BULLS OF THE POPES

PAUL THE THIRD,

AND

PIUS THE FIFTH,

Emitted against KING

HENRY The 8. And QUEEN ELIZABETH

OF

ENGLAND.

Printed in the Year, 1686.

BULLS OF THE POPES

PAUL THE THIRD,

AND

PIUS THE FIFTH,

Entitled Apostate KINGS

HENRY The 8. And QUEEN ELIZABETH

OF

ENGLAND.

Printed in the Year, 1688.

TO

The Right Honourable and truly Noble

JAMES

EARL OF PERTH,

LORD DRUMMOND, &c.

LORD HIGH

CHANCELLOUR

OF

SCOTLAND.

MY LORD,

THere is nothing so much amuseth these out of the Communion of the Catholick Church, *as the supposed guilt of Disloyalty, maliciously fixed upon the* Roman Catholick Religion: *Nor is there any thing more confirms this unhappy prejudice in the Hearts of Honest and Loyal Subjects in these Kingdoms, then the* Bulls *and dam-*

damnatory Sentences issued out by the Popes PAUL *the Third and* PIUS *the Fifth, against King* HENRY *the Eigth, and Queen* ELIZABETH *of* England: *Now untill this great mistake be removed, the Subjects divide amongst themselves, and ill Blood is Nourished, to the intollerable dammage of his* MAJESTY, *whose Interest is the less secured while so dangerous an* Hypothesis *unjustly charged on* Catholick *Subjects, and no vindication made to wipe off so foul a Crime: For if a* Catholick *Prince must not trust his* Catholick *Subjects, he must give only credit to these who would have the municipal Statutes of this Kingdom, made upon politick considerations, unalterable and irreversible, never to be repealed upon the fairest emergencies, and justest reflections, that after Ages may make for the discovery of conceived prejudices, which were to bind up the hands of Princes in the prudent management of their Affairs, and restrict their supreme Right of Legislation.* My LORD, *I have adventured to vindicate the* Church Catholick *from so destructive a Doctrine in as few Words as the subject matter could allow off: And since none hath suffered the severe lashes of viperous Tongues more then Your* Lordship, *for that the* Catholick *Religion is joined in your Person with that great trust reposed in you, and yet far beyond the least tincture or suspicion of Disloyalty, I thought none fitter to shelter and protect this small Essay then Your* Lordship. *I give it then up,* My LORD, *to Your Patronage, and Tuition, in the protection whereof you will demean your self as a true* SON *of the Holy* Catholick Church, *and justifie the Honest and Religious service of*

MY LORD,

Your Lordships most oblidged
and most Humble Servant.

Philotheus.

Some Reflections on the Bulls of

PAUL THE THIRD,

AND

PIUS THE FIFTH,

Emitted againſt KING

HENRY The 8. And QUEEN ELIZABETH

OF

ENGLAND.

THE Chriſtians of the Roman Catholick Communion believe nothing as matter of Faith, but what the Univerſal Church practiſes, or a General Council by its Decrees oblidges to believe as ſuch; And ſince neither the Church Catholick in diffuſion, or repreſentation practiſes, or by Her Cannons enjoyns as matters of Faith, *viz.* That its Lawful for Popes upon the Heads of Hereſie, Schiſm, or ſcandalous iniquity to Excommunicate Kings and abſolute

Princes, and thereupon to abſolve their natural Subjects from their neceſſary alledgeance, its the higheſt injuſtice to impoſe this on the Catholick Religion as an Article of Faith.

To clear this, let us firſt conſider what is the practice of the Church diffuſive in this affair: Its plain that this dangerous Doctrine ſo deſtructive to Humane Societies is diſowned by all Catholick Princes and Monarchs, guarding ſufficiently againſt it by their Imperial and Royal Laws, and Conſtitutions: How do the Italian Princes debate their Temporal Intreſts with Popes who ſometimes quarrel with them, and defend their ſecular Rights by the Sword? And who more eagerly and vigouroufly vindicates his Royal prerogative in Temporal concerns againſt all the pretentions of Popes, then the *French* King? And its as evident that the Emperour, the Spaniſh and Polonian Princes by their municipal Laws aſſert their Imperial and Royal Rights againſt all mortals. And as this is the practiſe of Catholick Princes, ſo is it of the particular Churches within their Dominions and Teritories, for they in their Eccleſiaſtical Conventions declare the independency of their abſolute Princes in Temporals, and that the Church cannot pretend by vertue of the power of the Keyes directly, or indirectly to diveſt any abſolute Prince or Monarch of his Royal Rights and Priviledges: Look to the Cannons of the late *Gallican National* Aſſembly, and to the Univerſities of *Rehemes*, *Caen*, *Poictiers*, *Valence*, *Bordeaux*, *Bourges*, &c. And to the whole Colledge of *Sorbon*, condemning *Sanctarellus* his propoſitions, *viz.* That the Pope might for Schiſm or Hereſie depoſe Princes, and exempt Subjects from their Alledgeance: And tho' this Doctrine be charged maliciouſly upon the generality of the *Jeſuits*, yet a provincial Councel of that Order cauſed publickly to burn *Mariana* his Book for handling problematically that of killing Kings, and this Society in all the Catholick Territories, where they are ſcattred, do generally renounce that Doctrine ſo fatal to Civil Authority, elſe they ſhould not have ſo eaſie an acceſs to the Courts of Princes, and find with them ſuch kind receptions as they daily do.

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Secondly. There is no Authority from a general Council that allows of this dangerous Doctrine, nor is there any thing like it to be found in the laſt general Counſel held at *Trent*, in which are all theſe Articles that oblidge the Catholicks as matters of Faith, nor in any other general Counſel prior to that, ſave what is ignorantly concluded from a Decree of the *Lateran* Council held under *Innocent* 3. But to free this Counſel of any thing that looks like that unhappy Doctrine: Let us notice firſt, There were preſent at this Convention held at the *Lateran* the Emperours of the Eaſt and Weſt, the Kings of *England*, *France*, *Hungary*, *Jeruſalem*, *Cyprus*, *Arragon*, &c. By their Ambaſſadors, ſayes *Mattheus Pariſienſis*, who all might have agreed together to have purged their Territories and Dominions from the Heretical crew of the *Waldenſes* and *Albigenſes*, ſo that by this compact amongſt abſolute Princes they might have conſented upon their faileure, if not concurring to exterminate the Hereticks, that at the Churches Sentence the guilty ſhould forfeit his Dominion and Property, and the party performing receive it: And this is as warrantable as the Convention made by the confederate Princes at *Smalcad.*

Secondly. The Perſons here threatned to loſe their Territories and Properties are termed by the Decree, *Domini principales*, and certainly by theſe the Church never underſtood abſolute Princes, but only petty and Feudatory Lords, who being Superiors over other *Vaſſals*, had a Dominion *directum* over them to which Lords the *Vaſſals* owed Fidelity, and with that ſometime Subjection, as many do in *Germany*. And of theſe allenerly are the Words of the *Lateran* Decree to be underſtood, and not of the Imperial or Regal Dignities, who *ob eminentiam dignitatis*, are ſtill excepted from the higheſt cenſures of the Church, as you ſhall hear anon.

Thirdly. Its more then propable that the *Domini principales* there expreſt were chiefly, if not only the Feudatory petty Superiors, who ſupported the *Albigenſes*, continued

the Hereſie and broched the Wars. Such as the Earls of *Tholouſe*, *Foix*, *Comminges*, and Prince of *Bern*, all Protectors of theſe Rebellious Hereticks, and it was upon the ſcore of this *Lateran* Decree that *Montferret* was inveſted in the Superiorties and Territories of *Tholouſe* after the Victorious ſucceſs of the Catholick Princes had againſt theſe confederate Nobles.

Let me add further that in the foreſaid Decree there is no mention had of *Reges*, but of *Domini*, or of *Regna*, but *Terram*, which certainly relate to the Lands and Poſſeſſions of the petty Feudatory Lords.

Laſtly, To ſum up all, upon ſuppoſition that the Counſel ſo determined, that the Cenſure ſhould reach all Dignities of the higheſt Quality (which is morally impoſſible to think that ſuch abſolute powers ſhould conſent to their own ruin,) yet ſtill it muſt be conſidered that this Decree did relate only to a matter of Diſcipline or Eccleſiaſtick Government, in which caſes the Church pretends not to Infallibility, for ſhe alters her Government when inavoidable inconvenjencies appear: For had that Decree been of Faith, the *Tridentine* Council had not paſſed it by without a determination, eſpecially ſince before the Seſſion of that Synod the Hereticks frequently charged this ſcandalous Doctrine upon the Roman Catholick Church: Yea had that *Lateran* Decree reſpected the higheſt Powers without exception, and the Decree being of Faith, then how could the whole Univerſity at *Paris*, April 20. 1626. have condemned *Sanctarelleus* propoſition? Or how could the Colledge of *Sorbon* together with the Provincial Councel of the *Jeſuites*, the ſuppoſed aſſerters of the Papal Authority over Kings, have ſubſcribed the ſaid condemnation to the great ſatisfaction of the Parliament of *Paris*? Certainly if the *Lateran* Decree was of Faith, and extended to Imperial and Regal Dignities, then all the aforeſaid Perſons muſt have been Heretical for condemning that propoſition of dethroning Princes in caſe of Hereſie, Schiſm, or ſome enormc ctime: Yea how could

could Popes themſelves judicially in the meetings of Cardinals at *Rome* have cenſured the Books of *Bellarmine*, *Becan*, and others for aſſerting the Popes power of depoſing Princes as aforeſaid? If before this in the *Lateran* it had been matter of Faith.

We come now to conſider ſome particular inſtances alleadged for proving this Doctrine to be of Faith in the *Romiſh* Church, ſuch as the Bulls of *Paul* 3. againſt *Henry* 8. and of *Pius* 5. againſt Queen *Elizabeth* of *England*, wherein not only theſe are excommunicated, and their Subjects adhearing to them, ſtruck with the ſame Sentence, but all Catholick Subjects are alſo abſolved from their alledgeance; and all Catholick Powers and Dignities abroad commanded under pain of Excommunication, not to correſponde, tranſact, or converſe with them: They are alſo required to invade theſe Excommunicated Princes: The Popes giving the Invaders full power thereto. In anſwer to theſe ſad inſtances, its replyed by all True and Honeſt Catholicks. that they cannot juſtifie the miſdemeanours of particular Popes, who through miſ-information pick or humour have adventured to do ſomethings that are unaccountable, ſince God hath given no promiſe of an infallible direction to them in all the Inſtances of their Life, nor hath any Catholick of the moſt wild and roving Humour dared to plead for their impeccability in their perſonal or private Actions, that being proper for Angels and the Spirits of juſt Men made perfect. However, ſince theſe of the Papal Dignity have the Honour of ſo great and venerable a Character as to be the Chief Biſhops of the Church Catholick, and to be Temporal Princes likewiſe, it were the higheſt indiſcretion, to put a groſs and ſcandalous conſtruction upon their Actions without conſidering what were the motives that moved them, and meaſures they uſed in a matter that ſeems ſo Offenſive to the World, and Deſtructive of Humane Society; and if ye but regard and conſider the ſpecial care the Divine Providence has had of that *See* above all the particular Churches and Societies in the World, it

would fright any modeſt and humble Man, from paſſing a raſh and ſevere Cenſure againſt the Supream Governours of that Church: Notice but how the whole Chriſtian World near from the Infancy of Chriſtianity was divided into three Patriarchates, whereof the chief and the moſt powerful was the Weſtern Church, and the Seat thereof *Rome*, to this all had anciently recourſe, ſaith *Ireneus*, and in ſo farr was the Churches Unity preſerved, for that the particular Churches lived in Conjunction with this, which was founded by the two chief Apoſtles, St. *Peter* and *Paul*, to the firſt of which the Circumciſion, and to the ſecond the Incircumciſion was chiefly committed, ſo that the whole Chriſtian World being eminently intruſted to theſe two, and their charge tranſmitted to the Biſhops of *Rome* their Succeſſors, theſe eminent vaſt truſts conſpire in this Apoſtolick *See*: And tho' Infallibility were not allowed to that particular *See*, yet certainly indefectibility cannot in juſtice be denyed it, for we ſee *de facto*, all the Churches of Apoſtolick Foundation have failed, and their Succeſſions interrupted, this only remaining entire, and unleſs we have recourſe to Her for the determination of Contraverſies relating to Faith, according to the Rule of the Fathers, it ſhall not be poſſible to diſtinguiſh Catholick Truth, from Hereſie: *Tertullian* particularly tells us in his Book of *Preſcriptions*, that the only way left the Church by which She ſhould diſtinguiſh Hereſie, from Truth, was to have recourſe *ad Eccleſias matrices*, and thereto enquire if ſuch Doctrines were derived down to them from the Apoſtolick Foundation: Now ſince there is no Church in exiſtence of an Apoſtolick Foundation whoſe Succeſſion hath not been interrupted, ſave that of *Rome*, we muſt needs then have recourſe to Her for ſettling us in matters of Faith, otherwiſe the Fathers Rule is not practicable, and no means left by God to ſecure us Infallibly from Errour: So that not only the Indefectibility of that *See*, but the greatneſs of its principality, and the Wiſdom of its Clergy, the confluence of Nations towards Her, and the

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protection of all the Catholick Princes beſtowed on Her, all theſe ſhould ſtrongly oblidge us not to paſs indiſcreetly and raſhly a Cenſure upon the Actions of its chief Governour.

But to come to the inſtances, its anſwered that the Bull given out by *Paul* 3 againſt *Henry* 8, was concerning a matter of ſecular intreſt or plea of Law, for the ground of the Popes ſentence was from that unwarantable deed done by *John of England*, who made a reſignation of his Crown to the *See of Rome*, and *England Feudatory* and himſelf a *Vaſſall* to that *See*, which deed tho its moſt certain was *ab origine* null and void, he having no power to alienate his Royal hereditary Rights to any in prejudice of his Lawful Heirs and Succeſſors, yet the Apoſtolick *See* having had ſuch a grant made to them, ſeveral of her Biſhops continued the claim of Superiority upon the ſaid Title, And it was certainly upon this head, that *Paul* 3 proceeded againſt *Henry* 8, who had by Act of Parliament renounced all Forreign Juriſdiction, by which *Paul* the third Judged the Apoſtolick *See*, and St. *Peters* Patrimony prejudged, and thereupon treated *Henry* 8. as his *Vaſſall* and abſolved his Subjects from their alledgeance, and required all Catholick Princes to concurr to the reducing him as a Rebel, who denyed fidelity to the Apoſtolick *See* his ſuppoſed temporal Lord. Its known to all that ever read the Engliſh Hiſtory that there were great heats between the Roman *See* and the *Engliſh* Kings, upon this pretended Title of the reſignation, The Pope ſtill requiring Fidelity and other Feudatory duties from *England*, which were ever Juſtly denyed, Several Laws and Statutes being made in *England* to guard them againſt that unjuſt Title. And to make this appear more evident that *Paul* the 3 treated *Henry* the 8 in this Bull as his ſuppoſed *Vaſſal*, read but the Words of the Bull, *Sect.* 15. Where the Pope command's all that were below an Imperial and Regal Dignity, not to correſpond, converſe, or tranſact, with *Henry* the eight, or his Accomplices, or Favourers, under pain of Excomunication; but as for the Imperial and Regal Dignites, he only beſeeches

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and exhorts them ſo to do without threatning any ſuch Cenſure, thus runs the Bull *(præterea ad dictum Henricum Regem facilius ad ſanitatem, & præfatæ ſedis obœdientiam reducendum, omnes & ſingulos Chriſtianos principes, quàcunque etiam Imperiali & regali dignitate fulgentes per viſcera miſerecordiæ Dei noſtri (cujus cauſa agitur) hortamur & in domino requirimus, eis nihil ominus, qui imperatore & Rege inferiores fuerint, quos propter exellentiam dignitatis à cenſuris excipimus, ſub excommunicationis pœnâ mandantes, ne Henrico regi ejuſque complicibus, &c)* Where its plain and undiſputable to any, ſafe quibling Lawyers, that Imperial and Regal Dignities are ſtill excepted from the great Cenſure of Excommunication, and that *propter eminentiam dignitatis*, ſo that *Paul* the Third in his Bull, looked on *Henry* the Eighth, as Feudatory to himſelf and the Apoſtolick *See*, and as no abſolute Prince, tho' he was infinitely wrong in ſo judging: From all this it follows that the Pope dealt with *Henry* the Eigth, in a matter reputed Secular and Temporal, and they Acted one againſt another as Temporal Princes, contending violently for their ſecular Rights and concerns, in which matters all Mankind, Pope, and all may Err, and the true Holy and Catholick intreſt remain entire and ſecure, and Catholick Princes are no worſe Sons of the Church for maintaining their Rights and Priviledges againſt all whatſoever: Truly, this grant of King *John's* as it was Originally void and null, ſo it was done by a moſt undeſerving Governour, who neither knew nor had care of his own Intreſt, who was guilty of Rebellion againſt his Father and Brother, and who murthered his Nephew to uſurp the Crown, who loſt alſo all the Engliſh Intreſt, either by conqueſt or matches in *France*, not to ſpeak of his Irreligion and Atheiſm: And as this grant was Originally null and done by ſo unworthy a Prince, ſo it was ſoon revoked by his Succeſſors in Parliament, who in ſo unjuſt a matter would have been Highly prejudged, the very Catholick Clergy deteſting the Pope for the ſevere and unjuſt

juſt courſes againſt *England*, becauſe of that Title, as the Biſhops of *Durham*, *Winchester*, *Norwich*, *&c.* Yea the Arch-Biſhop of *Canterbury*, then a Cardinal and Legate, being at *Rome*, when a Charter adorned with a Golden Bull was preſented at the High Altar in preſence of the King, the ſaid Prelate ſtept in, as the Arch-Biſhop of *Dublin* had done at the firſt grant, and in Name of the Clergy and Kingdom of *England* produced at the ſame Altar his appeals, and all the *Peers* accorded with him therein: How did EDWARD the Firſt reſiſt the claim of the after Popes? and in EDWARD the Third's time did *England* ſecure their Right by Act of Parliament, where were Prelates, Lords, and Commons, againſt all the Papal pretenſions: Yea a Parliament was held at *London* 1214, being the Year after the Grant, where the Arch-Biſhop ſat as Preſident with all the Clergy and Laity, and there by command of the Pope, the Charter, Fealty and Hommage, by which the King was oblidged to the Pope, was abſolutely releaſed on the 7. of *July*: So that Catholick Princes have ſtill vindicated their Rights againſt the higheſt Powers of the Church, and yet judged no Hereticks upon the matter.

Lets now conſider *Pius* 5 his Bull againſt Queen *Elizabeth*; Its true there he declares to all Catholick ſubjects that ſhe is no true Princeſs and abſolves her Subjects from their allegiance, but upon good ground, for firſt conſider that if *Mary* Queen of *England* lawfully ſucceeded King *Edward* 6 her Brother: then *Elizabeth* could have no Title, as my Lord *Beacon* acknowledgeth *H*: 7: *p*. 206: (the legitimation of Queen *Mary* and *Elizabeth* are incompatible) unleſs ye juſtifie both the marriages, which no Chriſtian will adventure, and the Kingdom not being Elective, in that caſe *Mary* Queen of *Scotland* ſhould in all Juſtice have ſucceeded. *Pius* 5th in his Bull ſaith *Queen Mary* of *England* is legitimat (*uſu namque veræ religionis, quam ab illius deſertore Henrico 8, olim everſam,*

Clarę mem: Maria regina legitima, hujus ſedis præſidio reparaverat, &c now ſince *Mary Queen* of *England* is acknowledged the true Child by this Pope, Then was *Elizabeth* an natural: all the Lords and Commons in a Parliament in *England* held after the Death of *Edward* 6. acknowledged *Mary* for their Soveraign, and that the marriage of her Mother was good and ſtood with Gods Law and moſt Holy Word; which was this ſame thing as to ſay that *Elizabeth* was illegitmate, and LUTHER the great Reformer deemed her ſo too, ſays *Osburn* Mem: *Q: Eliz: p.* 5. Yea look to the date of her birth as its in my Lord *Herberts*, *H: 8. p.* 350. which was in September the 7. 1533, while Queen *Catherines* divorce was pronounced by *Cranmer*, the Kings Caſuiſt and judge apointed for that end, the 23 of *May* proceeding, ſo that her Mother was then quick whilſt *Henry* 8. was yet Husband to Queen *Catherine*, which continued till the term of that Sentence: I know *Stow*, *Speed*, and others alledge a private Marlage between *Henry* 8. and *Anna Bullen*, *Elizabeth* Mother, on *January* 25, yet ſtill *Elizabeth* is born within ſeven months and a few odd dayes, by which wee may gueſs at the Honeſty of her Mother who brought forth *Elizabeth* into the World as vigorous, luſty, and healthful, as others uſe to be at the end of nine months. If it be ſaid that the Pope innodates her not for her unjuſt Title, but for her Religion; to this its anſwered firſt, that its evident in that the Pope declared Queen *Mary* legitimate, he muſt have looked on *Elizabeth* as an unjuſt uſurper, for its impoſſible to reconcile to them both a juſt Title of Succeſſion, yea *Pius* 5. in his Bull calls her (*prætenſa angliæ Regina*) *the pretended Queen of* England, and ſo not the true.

Secondly. The ſad and Unnatural, Inhumane and diſhonourable uſage done by *Elizabeth*, to Queen *Mary* of *Scotland*, keeping Her under reſtraint and in cloſe Priſon, moved the Pope to conceal Queen *Mary* of *Scotland* Her juſt Title, (of which he was fully perſwaded) leſt the expreſ-

preſſion thereof might haſten the fatal ſtroke which at length befel Her.

Thirdly. When the Inhumanity which Queen *Elizabeth* uſed againſt her Couſin Queen *Mary* was noyſed abroad the World over, then did *Pius* the fifth ſend *Ridulph* a *Florentine* to Conſult with the Catholicks in *England* to an inſurrection againſt *Elizabeth*, upon which followed the riſing in Arms in the North; and tho the Catholick Lords did in their Declaration mention Religion, yet the true cauſe was the ſetling Queen *Mary* of *Scotland* the true and undoubted Heireſs of *England*, and the Lords propoſing Religion then, did *ipſo facto* imply the alteration of Religion and Government together, and upon the advancing of the Catholick Religion followed the intreſt of Queen *Mary*, ſo that the Pope and Catholick Lords did in this as the memorable General *Monk* did in carrying on the Loyal deſign of reſtoring our late Soveraign King *Charles* II. not daring to expreſs his Name, leaſt it ſhould have marred and ruined his honeſt purpoſes.

Fourthly. *Cambden* tells us 1569 p 160, that *Leonard Deackers* ſecond Son to the Lord *Deackers* of *Gyſland*, under took the delivery of Queen *Mary* of *Scotland*, who then was in *Derbyſhire* in my Lord *Shrewsburrys* keeping, and my Lord *Northumberland* was cheif complotter in this deſign, and he alſo was chief Commander of the inſurrection of the North, who as all know intended nothing ſo much as Queen *Mary*'s Title; tho' in the Declaration of War he Judged fit to conceal and not expreſs it. From all this then its clear that the Pope in his Bull againſt *Elizabeth* deſigned chiefly the ſetling of the righteous Heir, and he looked on *Elizabeth* not only as an uſurper, but as a Heretical Subject alſo, whom all were to avoid, becauſe of her Hereſie, and not to yeild obedience or alledgeance becauſe of her unjuſt Title; and in all this affair the Pope acted nothing againſt the Faith and Doctrine of the Catholick Church, or the true Properties, Intreſts, and Priveledges, of

Christian Princes, but rather evidenced his paternal care in securing the Rights and concerns of Monarchs, and suppressing of usurping and unjust Powers, to which he might concurr not only as a Ghostly Father by his Spiritual advices and censures, but as a Temporal Prince gave aid and assistance to setle and reposess Lawful and righteous Heires thrust from their legal Rights.

FINIS.

Bought at the Auction April 1722 by Mr. Ind. Cass.
Cost Gs. 2d.